6153426/2022/OP-BUD-MNW01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MINORITIES WELFARE DEPARTMENT - KAZIS ACT, 1880 (Central Act XII of 1880) - Extension of tenure of Sri Sk.Abdul Rauf, S/o.Nayab Rasool, Tenali, Guntur District as Government Kazi for Tenali Assembly Constituency excluding Tenali Town for further period of three (3) years w.e.f 01.01.2022 to 31.12.2024 for performing Marriages of Muslim Community only - Notification – Orders - Issued.

MINORITIES WELFARE (IDM) DEPARTMENT

G.O.Rt.No.116 **Dated:21.07.2022**

Read the following: -

1. G.O.Rt.No.5, Minorities Welfare (IDM) Department, dt:01.01.2019
2. Rep. of Sri Abdul Rauf, S/o Sri Nayab Rasool, Tenali, Government Kazi for Tenali Assembly Constituency, Guntur District, dt:Nil.
3. Govt.Memo.No1568630/IDM/ASO-I/2021, dt:26.11.2021
4. Interim Orders of the Hon'ble High Court dt:05.05.2022 in W.P.No.13441 of 2022 filed by Sri Shaik Abdul Rauf, S/o NayabRasool, Govt. Kazi, Tenali Town of Guntur District.
5. From the Collector and District Magistrate, Guntur Rc.No.4929/2021 E4, dated:25.06.2022.

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ORDER

In the first read above, Government have issued orders to extend the tenure of Sri Sk.Abdul Rauf, S/o.Nayab Rasool, Tenali, Guntur District as Government Kazi for Tenali Assembly Constituency, Guntur District for a further period of three (3) years for performing Marriages of Muslim Community only, as per Section (2) of the Kazis Act, 1880 (Central Act XII of 1880).

2. In the second read above, Sri Abdul Rauf, S/o Sri Nayab Rasool, Tenali, Government Kazi for Tenali Assembly Constituency, Guntur District has requested the Government to extend his service as Government Kazi for Tenali Assembly Constituency, Guntur District. Subsequently, Govt. have requested the Dist. Collector, Guntur Guntur to furnish a Police Clearance Certificate, credential report and recommendations of the Principal Muhammadans of local area immediately to the Government for further action in the matter vide in the 3rd read above.

3. Sri Shaik Abdul Rauf, S/o Nayab Rasool, Govt. Kazi, Tenali Town of Guntur District has also approached the Hon'ble High Court and the Court in its interim orders dt:05.05.2021 in W.P.No.13441 of 2022, has directed the respondents to consider the petitioner's representation dated:08.11.2021 duly taking into consideration the report submitted by the Sub-Collector, on 25.01.2022 and take a decision within a period of two weeks from the date of receipt of a copy of the order and communicate the same to the petitioner vide in the 4th read above.

4. In the 5th read above, the District Collector, Guntur has obtained the report of the Sub-Collector, Tenali and District Minorities Welfare Officer, Guntur and stated that Sri Shaik Abdul Rauf, S/o Nayab Rasool, R/o 16-41-11, Salipet, Tenali Town belongs to Muslim Community. The applicant has possessed Hifz-e-Quran, and Alim course certificate to perform Muslim Marriages (Kazi) and the individual

(PTO)

has not involved in any criminal cases and no adverse remarks on him. He has further stated that 12 Masjid committees of Tenali Constituency has reported that Sri Shaik Abdul Rauf, S/o Nayab Rasool is working as Government Kazi for the last 6 years and given no objection for extension of Kaziship of the applicant for 3 more years. Finally, the District Collector, Guntur has requested the Government to extend the tenure of Sri Abdul Rauf S/o Nayab Rasool as Government Kazi for Tenali Assembly Constituency excluding Tenali Town, Guntur District.

5. After careful examination of the proposal of the Collector & District Magistrate Guntur District, Government hereby extend the tenure of Sri Sk.Abdul Rauf, S/o.Nayab Rasool, Tenali, Guntur District as Government Kazi for Tenali Assembly Constituency excluding Tenali Town for further period of three (3) years w.e.f 01.01.2022 to 31.12.2024 for performing Marriages of Muslim Community only, as per Section (2) of the Kazis Act, 1880 (Central Act XII of 1880) subject to the following conditions:

1. The Kazi is answerable to the Government for his actions.
2. The appointment of the Kazi can be revoked by the Government on receipt of complaints/verification of records or in extreme cases without notice, if malafide is established as per record.
3. The Kazi shall not indulge any illegal activity in the conduct of marriages nor infringe any law established by the Government.
4. The Kazi shall not carry out marriage of any minor.
5. The Kazi shall not act in any way which is prohibited in Islam or is not permissible in Islam.
6. The Kazi shall not conduct contract marriages.
7. The Kazi or his Naib Kazi shall not perform any marriage, in any area, beyond his specified Jurisdiction.
8. The Kazi shall charge the specified fee and nothing more than that.
9. The Kzi shall appoint not more than three (3) Naib Kazis and the names of such Naib Kazis shall be informed to the Government.
10. Government shall have the right to take disciplinary action against the Kazi, in case of any contravention of Law or of any conditions specified above.
11. The Kazi shall hand-over the Marriage Record to the Wakf Board, at the end of the tenure

6. If any question arises whether any person has been rightly extended the services for further period of three years as Kazi under the above said Section, the decision thereof by the State Government shall be conclusive. The State Government may, if it thinks fit, suspend or remove any Kazi appointed under this Section, who is guilty of any misconduct in the execution of his Office, or who is for a continuous period of six months absent from the local area for which he is appointed, or leaves such local area for the purpose of residing elsewhere, or is declared an insolvent or desires to be discharged from the office, or who refuses or becomes in the opinion of the State Government unfit, or personally incapable to discharge the duties of office.

(Contd...03)

7. The following Notification shall be published in the next issue of Andhra Pradesh State Gazette: -

NOTIFICATION

"In exercise of the powers conferred under Section (2) of the Kazis Act,1880 (Central Act XII of 1880), the Government of Andhra Pradesh, after consulting the Principal Mohammadan residents of local area, hereby extend the period of Sri Sk.Abdul Rauf, S/o.Nayab Rasool, Tenali, Guntur District as Government Kazi for Tenali Assembly Constituency excluding Tenali Town for further period of three (3) years w.e.f 01.01.2022 to 31.12.2024 for performing Marriages of Muslim Community only for performing Marriages of Muslim Community only for performing marriages of Muslim Community only".

8. The Collector and District Magistrate, Guntur / the Chief Executive Officer, A.P. State Waqf Board, Vijayawada, is directed to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A MD IMTIAZ
SECRETARY TO GOVERNMENT

To
Sri Sk.Abdul Rauf, S/o.Nayab Rasool, D.No. 2-2-3,
Tadiboinavari Street,Near Gandhi Chowk, Nandulpet,
Tenali, Guntur District-522201
(Through the Collector and District Magistrate, Guntur District).
The Collector and District Magistrate, Guntur District.
The Chief Executive Officer, A.P. State Waqf Board, Vijayawada.
Copy to:
The Commissioner, Printing, Stationery and Stores Purchase,
Andhra Pradesh, Muthyalampadu, Vijayawada.
(for publication in the Andhra Pradesh Gazette and to furnish 10 copies).
P.S. to Hon'ble Deputy Chief Minister (Minorities Welfare),
A.P. Secretariat, Velagapudi.
OSD to Secretary to Government, Minorities Welfare
Department, A.P. Secretariat, Velagapudi.
The Minorities Welfare (OP & Bud) Department.
Sf/Sc.

// FORWARDED :: BY ORDER //

P.Rajaramani
SECTION OFFICER